

**REMARKS/ARGUMENTS**

Claims 9-16 are pending in the application. Claim 9 is amended.

Claims 9 and 13 are rejected under 35 U.S.C. § 102(b) as being anticipated by Chen et al., U.S. Pat. No. 5,652,687, hereinafter ("Chen"), and Deroux-Dauphin, U.S. Pat. No. 4,829,659 ("Deroux-Dauphin"). Claims 9 and 13 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Chen and Deroux-Dauphin in view of Santini, U.S. Pat. No. 6,111,724 ("Santini '724"). Claim 9 and 13 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Chen and Deroux-Dauphin in view of Santini, U.S. Patent 6,130,809 ("Santini '809"), in view of Chen. Claims 10 and 14 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Santini '809, in view of Chen, in further view of Armstrong et al (U.S. Patent No. 5,901,432) hereinafter ("Armstrong"). Claims 11 and 15 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Santini '809 in view of Chen, in further view of Jones (U.S. Patent No. 4,337,132) ("Jones"). Claims 12 and 16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Santini '809, Chen and Armstrong, and further in view of Jones.

In this Amendment, claim 9 is amended to bring out an additional feature, providing a trim structure comprising a portion of a first magnetic layer and a portion of a second magnetic layer in direct contact with a portion of a gap layer (*e.g.*, as shown in Figs. 4B, 5B, 6B). For at least the reasons discussed below, Applicant submits such a feature is neither shown nor suggested by the cited references.

Santini '724 fails to describe at least this limitation. See *e.g.*, cited Figure 22. The remaining Figures fail to describe such limitations as well.

Santini '809 fails to describe at least this limitation. See *e.g.*, cited Figure 24. The remaining Figures fail to describe such limitations as well.

Chen also fails to describe at least this limitation. See cited Figure 7. The remaining Figures fail to describe such limitations as well.

Deroux-Dauphin, Armstrong, and Jones fail to make up for the deficiencies of Chen, Santini '809 and Santini '724 as well. Although these references are generally directed toward producing a magnetic read/write heads, they fail to teach, suggest or describe at least providing a trim structure comprising a portion of a first magnetic layer and a portion of a second magnetic layer in direct contact with a portion of a gap layer.

Since in order to support proper § 102(b) and § 103(a) rejections, the cited references must teach, suggest or describe each and every limitation of independent claim 9, the current rejections are lacking. Applicant submits claim 9 is currently allowable, and claims 10-16 are allowable for depending from allowable base claims.

#### **Request for Allowance**

It is believed that this Amendment places the application in condition for allowance, and early favorable consideration of this Amendment is earnestly solicited.

If, in the opinion of the Examiner, an interview would expedite the prosecution of this application, the Examiner is invited to call the undersigned attorney at the telephone number listed below.

The Office is hereby authorized to charge any fees, or credit any overpayments, to

Serial No.: 10/802,596  
Amendment dated January 25, 2008  
Reply to Office Action of July 25, 2007

Deposit Account No. **11-0600**.

Respectfully submitted,

KENYON & KENYON LLP

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